

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Kapak Company, LLC,

Plaintiff,

Civil No. 09-934 (RHK/SRN)

vs.

**DISQUALIFICATION AND  
ORDER FOR REASSIGNMENT**

The J.M. Smucker Company, et al.,

Defendants.

The above-entitled matter has been assigned to the undersigned, a Judge of the above Court. Pursuant to Title 28, United States Code § 455, the undersigned recuses himself from hearing this matter. Accordingly,

**IT IS HEREBY ORDERED**, that pursuant to this Court's Assignment of Cases Order dated December 1, 2008, the above-captioned action shall be resubmitted to the Clerk of Court for reassignment.

**IT IS FURTHER ORDERED**, that a copy of this Order shall be filed in the above-captioned case.

Dated: April 27, 2009

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge